UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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PERMAN & GREEN
425 POST ROAD
FAIRFIELD, CT 06824

EXAMINER
GEREZGIHER, YEMANE M

ART UNIT	PAPER NUMBER
2144	

DATE MAILED: 06/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/761,040	SALMI ET AL.
	Examiner	Art Unit	
	Yemane M. Gerezgiher	2144	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _31 January 2005_.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-23_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-23_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _15 November 2004_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☒ All   b) ☐ Some *   c) ☐ None of:

         1. ☒ Certified copies of the priority documents have been received.

         2. ☐ Certified copies of the priority documents have been received in Application No. _____.

         3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _01/27/2004_.

4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____ .

DETAILED ACTION

1.   The amendment received on 01/13/2005 has been entered. Claims 1-23

remain pending.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in

this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-23 are rejected under 35 U.S.C. 102(e) as being anticipated by

Jaisimha et al. (U.S. Patent Number 6,487,663) hereinafter Jaisimha.

As per claim 1, A method for presenting information contained in

messages in a user interface of a multimedia terminal (See Figure 3), in which

method the message comprises at least one component (See Column 7, Lines

18-19, Jaisimha disclosed two components image and audio contained with in

the message), and which message is transmitted to the multimedia terminal in

a multimedia message transmission system, wherein in the method, a

presentation model (See Column 7, Lines 1-23) is formed to contain

information related to at least one component connected with the message,

that said presentation model is supplemented with a reference to the location

of data related to presenting at least one component in said message, (See

Column 7, Lines 18-25, having therein a location reference to the enclosed

components in the message) and that said presentation model is added to said

message. See Column 5, Lines 11-29, Column 6, Line 67 through Column 7,

Lines 25.

As per claim 2, the method according to claim 1, wherein said

presentation model is set up in the terminal which transmits the message. (See

Column 7, Lines 1-23 and Figure 3, Jaisimha taught a multimedia terminal

generating the presentation model)

As per claim 3, The method according to claim 1, wherein said

multimedia message transmission system comprises a multimedia message

service center, in which messages addressed to the multimedia terminal are

received to be transmitted further to the multimedia terminal, and that the

presentation model is set up in the multimedia message service center. See

Figure 3, showing a multimedia server "MMSC" sending multimedia messages

to a mobile station and, See Column 7, Lines 1-23 a presentation model of

W3C's used in presenting the multimedia messages at a mobile user terminal)

As per claim 4, the method according to claim 1, wherein said presentation model is formed by using the SMIL format. (See Column 7, Lines 1-23, Jaisimha disclosed a presentation model SMIL)

As per claim 5, the method according to claim 1, wherein said data related to presenting the component comprises said component. (See Column 7, Lines 18-19, Jaisimha disclosed two components image and audio contained with in the message)

As per claim 6, the method according to claim 1, wherein said data related to presenting the component comprises the search address of said component. (See Column 7, Lines 18-19, Jaisimha disclosed a "src" or a source of the components used to search and execute the components contained in the message and See Figure 3, showing a remote search locations for the components to be played or displayed on the mobile terminal)

As per claim 7, The method according to claim 1, wherein the user interface of the terminal for presenting the message comprises at least a display, at least one component comprises visual information, (See Column 7, Lines 18-19, Jaisimha disclosed a visual and audio components contained with in the message) wherein said presentation model is also supplemented with information about placing the component on said display (See Column 7, Lines 1-23, Jaisimha taught SMIL presentation which is used to coordinate placing and playing sequence of components contained in a multimedia message).

As per claim 8, The method according to claim 1, the user interface of the terminal for presenting the message comprises at least audio means at least one component comprises audio information, (See Column 7, Lines 18-19, Jaisimha disclosed a visual and audio components contained with in the message) wherein said presentation model is also supplemented with data about converting the component into audio information in the audio means. (See Column 7, Lines 1-23, Jaisimha taught SMIL presentation which is used to coordinate placing and playing sequence of components contained in a multimedia message where the components in the message are recognize by a sound controller and converted to audio).

As per claim 9, The method according to claim 1, said presentation model is also supplemented with information about the time of effect of the component, such as a display time of an image or a text, or a time of repeating a sound. (This limitation is inherent future of the known presentation model SMIL (Synchronized Media Integration Language), according to the specification of SMIL 1.0 published in 1998; W3C defines SMIL as "a markup language designed to present multiple media files together. For instance, instead of using a video with an integrated soundtrack, a separate video and sound file can be used and synchronized via SMIL. This allows users to choose different combinations, e.g., to get a different language sound track, and permits text transcripts to be optionally presented; both options have accessibility

benefits."), SMIL allows integrating a set of independent multimedia objects

into a synchronized multimedia.

As per claim 10, the method according to claim 9, the message comprises

at least two components, wherein said presentation model is also

supplemented with information about the mutual synchronization of the

components. (This claim limitation is rejected for the same reason claim 9 is

rejected).

As per claim 11, the method according to claim 1, the message comprises

at least two pages, wherein said presentation model is supplemented with data

about the order of presenting the pages. (See Column 7, Lines 18-19, two

different components image and audio components displayed in the user

interface of a mobile terminal, See Figures 3-5 and See rejection made to claim

9 above)

As per claim 12, A system for transmitting multimedia messages,

comprising means (See Figure 1, a multimedia server transmitting multimedia

components to a multimedia station) for transmitting a message to a

multimedia terminal which comprises a user interface (See Figure 3, having

therein a graphical user interface to interact with the message) for presenting

information contained in the messages, and each message contains at least one

component, (See Column 7, Lines 18-19, two components image and audio

contained with in the message) the system comprises means (MOD) for forming

a presentation model (See Column 7, Lines 1-23) in the message, the

presentation model comprising information related to presenting at least one

component in said message, that said presentation model is supplemented

with a reference to the location of data related to presenting at least one

component in said message, (See Column 7, Lines 18-25, having therein a

location reference to the enclosed components in the message) wherein the

system comprises means (COMP) for attaching said presentation model in said

message. See Column 5, Lines 11-29, Column 6, Line 67 through Column 7,

Lines 25.

As per claim 13, the system for transmitting multimedia messages

according to claim 12, the terminal which transmits the message comprises

means (COMP) to set up the presentation model. (See Figure 3-5 and Column

7, Lines 1-23, Jaisimha disclosed a mobile station generating and setting the

presentation model)

As per claim 14, The system for transmitting multimedia messages

according to claim 12, it comprises a multimedia message service center which

comprises means (MEM) for receiving messages addressed to the multimedia

terminal, means (MSG) for transmitting the messages further to the multimedia

terminal, and means (COMP) for setting up a presentation model. (See Figure

3-5 and Column 7, Lines 1-23, Jaisimha disclosed a mobile station generating

and setting the presentation model).

As per claim 15, the system for transmitting multimedia messages according to claim 12, said presentation model is formed by using the SMIL format. (See Column 7, Lines 1-23, SMIL is used to present media components in a multimedia terminal)

As per claim 16, The system for transmitting multimedia messages according to claim 12, in which the user interface of the terminal presenting the message comprises at least a display, at least one component comprises visual information, wherein said presentation model is also supplemented with data about placing the component on said display. (This claim limitation is rejected for the same reason claim 3 is rejected above)

As per claim 17, The system for transmitting multimedia messages according to claim 12, in which the user interface of the terminal presenting the message comprises at least audio means, at least one component comprises audio information, wherein said presentation model is also supplemented with data about converting the component into audio information in audio means. (This claim limitation is rejected for the same reason claim 8 is rejected above).

As per claim 18, The system for transmitting multimedia messages according to claim 12, said presentation model is also supplemented with information about the time of effect of the component, such as the time of

displaying an image or a text, or the time of repeating a sound. (This claim

limitation is rejected for the same reason claim 9 is rejected above)

As per claims 19 and 20 are rejected for the same reason claim 9 is

rejected above.

As per claim 21, A transmitting multimedia terminal which comprises

means for forming messages of at least one component, and means (RF) for

transmitting the messages, the multimedia terminal also comprises means

(MOD) for forming a presentation model in the message, (See Column 7, Lines

1-19, two components image and audio contained with in the message

represented using a formed presentation language SMIL) which presentation

model comprises information related to presenting at least one component

added in the message,(See Column 7, Lines 18-19, components added) and

which presentation model is supplemented with a reference to the location of

information related to presenting at least one component in said message. (See

Column 7, Lines 18-25, having therein a location reference to the enclosed

components in the message)

As per claim 22, A receiving multimedia terminal which comprises means

(RF) for receiving messages, and a user interface for presenting information

contained in the messages, (See Figure 3, showing a transmission means and a

multimedia station having therein an interface for displaying the transmitted

message) and each message contains at least one component, (See Column 7,

Lines 1-19, two components image and audio contained with in the message represented using a formed presentation language SMIL) the multimedia terminal also comprises means (MOD) for interpreting a presentation model formed in a message, which presentation model comprises information related to presenting at least one component, and which presentation model is supplemented with a reference to the location of information related to presenting at least one component in said message, (See Column 7, Lines 18-25, having therein a location reference to the enclosed components in the message) wherein the multimedia terminal comprises means (COMP) for finding out said presentation model from said message. (See Figure 3 and Column 7, Lines 18-19, Jaisimha disclosed a multimedia terminal, locating the multimedia components within the message).

As per claim 23, the multimedia terminal according to claim 21, it is a mobile terminal. (See Figures 3-5, a mobile terminal displaying a multimedia message)

Response to Arguments

4.   Applicant's arguments filed 01/31/2005 have been fully considered but they are not persuasive.

5.   The inventive entity argument recites, "the cited part of <u>Jaisimha</u> **does**

not have anything to do with a presentation model..." (Page 10 last ¶)

The examiner respectfully disagrees with that contention.

<u>Jaisimha</u>'s invention indeed has so much to do with a presentation

model as presented in the claimed limitations of this application. The

examiner points to the teachings of <u>Jaisimha</u> . <u>On Col. 7 Lines 1-23</u>,

<u>Jaisimha</u> clearly makes use of a presentation model. In fact, not just any

type of presentation model, but particularly a presentation model

("SMIL" which stands for Standard Multimedia Integration

Language), as recited by various limitations of the application.

6.   The inventive entity, further recites, "It is also pointed out that **a**

Multimedia Message Service Centre MMSC cannot be found in Fig. 3. It

merely shows a web server, which transmits via Internet contents of a web

page to a user's computer operating a web browser. **Fig. 3 does not give any**

indication on transmission of multimedia messages."

The examiner once again respectfully disagrees with such statement. For

clarity purpose, Fig. 3 is incorporated below or Fig. 5. Now, as one can clearly

see, in one embodiments of <u>Jaisimha</u>, the web server coupled with a database

storing multimedia objects such as video and audio is transmitting multimedia

contents to a client terminal. Thus, whether one likes to name it a MMSC, a

multimedia server, a web server or else any applicable name, based on the

functionality of the system, it is a server transmitting a multimedia contents to

client terminals. Thus, the interpretation or mapping applied in the rejection is

proper.

FIG. 3
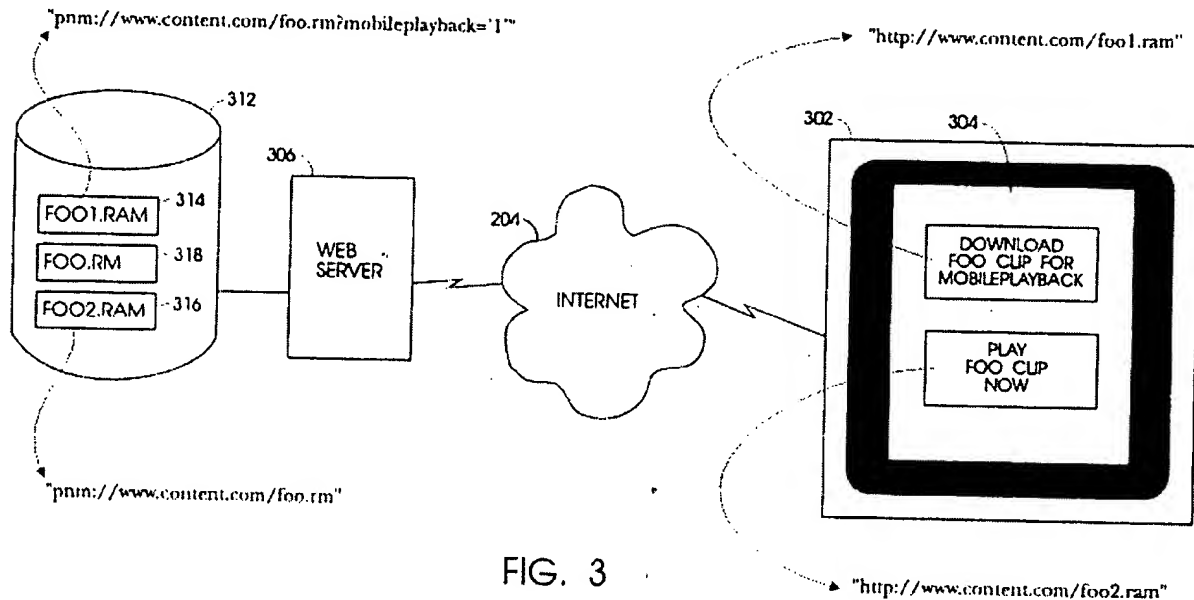
7.   The applicant makes additional argument by reciting, "Independent

claims 1, 12, 21, and 23 **all recite, "message"**. **Since this is not in** Jaisimha,

the rejection of claims 1-23 under 35 USC 102 on the reference should be

withdrawn". Applicant's Remark on Page 12 ¶ 4.

The examiner disagrees with that contention. If the concern/argument

presented by the inventive entity is directed to the phraseology of the teachings

in Jaisimha, the examiner points that the appearance of the term "message" is

disclosed by the teachings of <u>Jaisimha</u>. Col. 8 Lines 15-26. Nevertheless, since

the teaching of <u>Jaisimha</u> is directed to transmission of information contents

including multimedia contents in a distributed communication environment,

the received content at a network terminal and presenting content to the user

via the presentation model is nothing but a message.

For additional clarification the definition of a message reads as follows:

Message: Message in its most general meaning is <u>the object of</u>

<u>communication</u>. Depending on the context, the term may apply to both <u>the</u>

<u>information contents and its actual presentation</u>. (Source: Wikipedia, online

free encyclopedia).

8.   The inventive entity concludes by reciting, "since there is no suggestion

of the concept in <u>Jaisimha</u>, theses claims are unobvious over it."

The examiner likes to address the statement made by the applicant, not

to introduce a test of obviousness, but to merely point what the prior art

presentation model (such as HTML) lack and what has been developed to solve

the inadequacy of HTML by introducing a new presentation model such as

"SMIL" at the time the invention was made. AAPA (applicant admitted prior art)

disclosed:

In the Internet network, it is known to use the hypertext markup lan-
guage (HTML) which can be used for presenting *e.g.* the location, con-
tent, colour and size for multimedia information to be presented on
20   Internet pages. However, the HTML language does not offer a possibil-
ity to determine the time of effect of multimedia components, such as
the time of displaying a text or the time of playing a sound. Further-
more, with the presently known versions of the HTML language, it is not
possible to define transparency presentations in which the multimedia
25   presentation consists of several pages. However, to make the presen-
tation of various advertisements and other information more effective,
there is a need to produce *e.g.* variable parts in the content of pages as
well as a need to combine several pages to one presentation. Recently,
some solutions have been developed, such as the JAVA programming
30   language, whereby it is possible to implement variable effects of some
kind. In view of WAP terminals, however, it is one drawback of such
solutions that their implementation requires a relatively large processing
and storage capacity in the terminal. This restricts the introduction of
the JAVA programming language particularly in portable terminals. In
35   presentations implemented with the JAVA programming language, it is
not only the actual presentation information but also the JAVA program
for presenting the information that is transmitted.

See Applicant's Specification on Page 3.

However, as evidenced by the teachings of Jaisimha or more particularly

the organization that developed the claimed presentation model, SMIL was

defined by W3C to eliminate the problem addressed by the inventive entity as

recited above. Synchronized Multimedia Integration Language (SMIL) standard

is a presentation model developed in the early 1998 for building time-based,

multimedia presentations that combine audio, video, images, and text. Like

HTML SMIL is a markup language, but unlike HTML, it allows multiple offers

such as sequence, timing, multiple runtime options, which are selected from by

the user's browser, and a means of assembling separate media objects into a

single coherent presentation. See an article published by the Web Techniques

on September 1998 Volume 3, Issue 9 attached.

Conclusion

9.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension
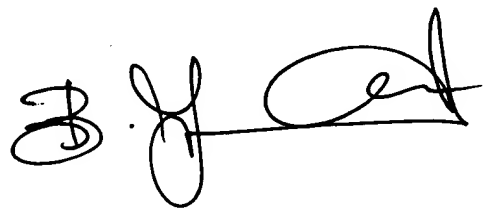
of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire

THREE MONTHS from the mailing date of this action. In the event a first reply

is filed within TWO MONTHS of the mailing date of this final action and the

advisory action is not mailed until after the end of the THREE-MONTH

shortened statutory period, then the shortened statutory period will expire on

the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In

no event, however, will the statutory period for reply expire later than SIX

MONTHS from the mailing date of this final action.

10.   Any inquiry concerning this communication or earlier communications

from the examiner should be directed to Yemane M. Gerezgiher whose

telephone number is (571) 272-3927. The examiner can normally be reached

on 9:00 AM - 6:00 PM Mon - Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached at (571) 272-39233. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yemane M. Gerezgiher
Patent Examiner, Computer Networks

BUNJOB JAROENCHONWANIT
PRIMARY EXAMINER